

Approved:


MATTHEW J. KING

Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York

21 MAG 4446

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UNITED STATES OF AMERICA : 21 Mag.
:
- v. - : RULE 5(c) (3)
:
EYNWOOD WHICHARD, : AFFIDAVIT
:
:
Defendant. :
:
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SOUTHERN DISTRICT OF NEW YORK, ss.:

EDWIN MORALES, being duly sworn, deposes and says that he is a Deputy United States Marshal with the United States Marshals Service ("USMS"), and charges as follows:

On or about October 27, 2020, the Superior Court of the District of Columbia Criminal Division issued a warrant for the arrest of "Eynwood Whichard" on charges of failing to appear for a pretrial show cause hearing concerning an assault on a police officer. A copy of the warrant is attached hereto as Exhibit A and incorporated by reference herein.

I believe that EYNWOOD WHICHARD, the defendant, who was taken into the custody of the USMS on April 22, 2021, in the Southern District of New York, is the same individual as "Eynwood Whichard," who is wanted by the Superior Court of the District of Columbia Criminal Division.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Deputy United States Marshal with the USMS. This affidavit is based upon my personal participation in this matter, as well as on my conversations with other law enforcement officers and my

examination of documents, reports, and records. I have been personally involved in determining whether EYNWOOD WHICHARD, the defendant, is the same individual as the "Eynwood Whichard" named in the October 27, 2020, warrant from the Superior Court of the District of Columbia Criminal Division. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part unless otherwise noted.

2. Based on my review of documents from proceedings in the Superior Court of the District of Columbia Criminal Division, I know that, on or about October 27, 2020, the Superior Court of the District of Columbia Criminal Division issued a warrant for the arrest of "Eynwood Whichard" (the "Warrant"). The Warrant was issued on charges of failing to appear for a pretrial show cause hearing concerning an assault on a police officer.

3. Based on my conversations with an Officer from the New York City Police Department (the "NYPD"), I know that:

a. On or about April 22, 2021, law enforcement officers from the NYPD arrested EYNWOOD WHICHARD, the defendant, in Manhattan, New York, on a charge related to providing the NYPD officers with a false name and false date of birth.

b. The Officer reviewed a photograph I provided of the "Eynwood Whichard" who is wanted by the Superior Court of the District of Columbia Criminal Division and informed me that the photograph appeared to depict the same person arrested by the NYPD, that is, EYNWOOD WHICHARD, the defendant.

4. On April 22, 2021, following his appearance in New York State court in connection with the above arrest, I and one other Deputy United States Marshal took custody of EYNWOOD WHICHARD, the defendant.

5. While in our custody, EYNWOOD WHICHARD, the defendant, stated voluntarily, and without being asked any

question by myself or any other Deputy United States Marshal present, in sum and substance, that he was happy to be in the custody of the USMS so that he could go back to "D.C." to resolve the matter in "D.C."

6. Based on my observations of EYNWOOD WHICHARD, the defendant, and my comparison to a photograph of the "Eynwood Whichard" wanted by the Superior Court of the District of Columbia Criminal Division I believe they are the same person.

WHEREFORE, I respectfully request that EYNWOOD WHICHARD, the defendant, be imprisoned or bailed, as the case may be.

/s/Edwin Morales

Edwin Morales
Deputy United States Marshal
United States Marshal Service

Sworn to before me this
23rd day of April 2021



JAMES L. COTT
United States Magistrate Judge

EXHIBIT A



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES OF AMERICA

vs.

CRIMINAL NO. 2020 CF3 005750

ISSUED BY: COURTROOM 112

EYNWOOD WHICHARD

BENCH WARRANT

May be served at any place within the jurisdiction of the United States

Unless Specified Otherwise Below

TO: The United States Marshal for the Superior Court of America or any other authorized federal officer or the Chief of Police for the District of Columbia.

GREETINGS; YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before this Court or other Court enumerated in 18 U.S.C. 3041 to answer to the charge(s) listed below.
() YOU ARE FURTHER COMMANDED to execute this warrant FORTHWITH.

BASIS FOR WARRANT AND DESCRIPTION OF CHARGES: Failure to Appear for Pretrial Show Cause Hearing
Assault On A Police Officer

SPECIAL TERRITORIAL LIMITS ON EXECUTION OF WARRANT-THIS SECTION VALID ONLY IF COMPLETED

Extraterritorial Service of this Warrant is limited to:

WITNESS, the Honorable Chief Judge of the Superior Court of the District of Columbia under the seal of said Court on this date 10/27/2020.

BAIL FIXED BY THE COURT

AT: NO BOND

Superior Court of the District of Columbia

BY: Praine Bennett
Judge/Magistrate Judge

Date Received:	Return: This warrant was received and executed with the arrest of the above named person.
Date Executed:	Signature of Arresting Officer